

REMARKS

In an Office Action mailed October 20, 2005, the Examiner rejected Claims 1-8. Claim 1 and Claims 2-8, by virtue of their dependence upon Claim 1, were rejected under 35 U.S.C. § 112, second paragraph. Claims 7-8 were also separately rejected under 35 U.S.C. § 112, second paragraph.

The Applicants respond to each of the Examiner's rejections below. In view of the amendments noted above and the arguments presented herein, the Applicants respectfully request reconsideration of the merits of this application.

Rejections Under § 112, 2nd paragraph

The Examiner rejected Claims 1-8 alleging a lack of clarity in the phrase "directly between members of distinct repeat sequence pairs" and in the location of the selectability-conferring sequence. In response, Applicants amend Claim 1 to specify the position of the selectability-conferring sequence by reference to the first and second members of the first and second repeat sequence pairs. Applicants find support for this amendment in [0049] and in FIGS. 2, 4-5 and 7-9. As noted in the previous Response, the flanking members are members of distinct repeat sequence pairs. Moreover, Applicants reiterate that the claims do not require the flanking members to be directly adjacent to or contiguous with the selectability-conferring sequence. Applicants respectfully request reconsideration of this rejection as applied to Claims 1-8.

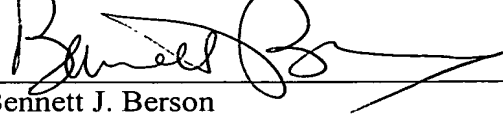
The Examiner also rejected Claims 7 and 8 alleging that references to adjacent pairs of distinct inverted repeat sequences lack antecedent basis and are unclear. The phrases are removed from amended Claims 7 and 8, having been replaced by specific reference to the members of the repeat sequence pairs. Applicants find support for this amendment in [0064] and [0065] and in FIGS. 7 and 8. Applicants respectfully request reconsideration of this rejection as applied to Claims 7 and 8.

Fees

No fee is believed due in connection with this submission. However, if a fee is due, in this or any subsequent response, please charge the fee to Deposit Account No. 17-0055.

Likewise, no extension of time is believed due, but should any extension be required in this or any subsequent response, please consider this to be a petition for the appropriate extension of time and a request to charge the petition fee due to the same Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bennett J. Berson", written over a horizontal line.

Bennett J. Berson

Reg. No. 37,094

Attorney for Applicants

QUARLES & BRADY LLP

P.O. Box 2113

Madison, WI 53701-2113

TEL (608) 251-5000
FAX (608) 251-9166